

REMARKS

Reconsideration and allowance are respectfully requested.

Claims 25 to 33 have been canceled, and so it is respectfully submitted that the rejections as to these canceled claims should be withdrawn.

New claims 34 to 42 find support in the claims as originally filed and the specification. New claims 34 to 42 require that the recited bottles be closed. Support for this limitation can be found, *inter alia*, at page 5, lines 3 to 4. Thus, new claims 34 to 42 are similar to canceled claims 25 to 33, but include the additional limitation that the bottles must be closed.

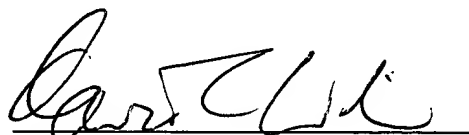
With respect to the references cited against canceled claims 25 and 32, i.e., Liebert et al., U.S. Patent No. 5,256,154 in view of Czaplinski et al., U.S. Patent 3,709,365, applicants respectfully submit that the primary reference relied on, Liebert, does not disclose a polypropylene bottle, but rather describe a syringe (column 2, line 12). A syringe differs from a bottle in that it comprises a movable plunger instead of a fixed bottom of a bottle. This movable plunger acts as a means for equalizing the pressure differential between the inside and outside of the syringe during autoclavation (see Liebert at column 3, line 22 and following), thereby prohibiting the formation of an overpressure in the syringe during the heating of the syringe, as well as the formation of a vacuum during the cooling period after autoclavation. The syringe of Liebert further comprises a one-way pressure relief valve, thus providing another means for pressure equalization between the inside of the syringe and the outside. Neither of these pressure equalization mechanisms are available in a closed bottle, as recited in the present claims. Accordingly, it is respectfully submitted that the syringe disclosed by Liebert cannot be considered equivalent to the bottle recited in the present claims, nor can the syringe of Liebert be considered "closed" as recited by the present claims. Applicants thus submit that Liebert teaches away from the presently claimed compositions, by teaching that some sort of pressure relief mechanism is required in order to keep a polypropylene container from exploding or deforming during autoclavation.

With respect to the references cited against canceled claims 25 to 33, in particular the primary reference Wolf, applicants respectfully submit that no proper combination of these references render the present claims obvious. Wolf also merely discloses a syringe (see, e.g., at column 5, line 44 et seq.), and not a bottle as is presently claimed. Again, the syringe of Wolf comprises a movable piston, in addition to a movable sealing cap over the outlet of the syringe which can flex in response to pressure that builds up inside the syringe body when autoclaved (column 3, lines 33 to 50).

Applicants thus respectfully submit that Wolf actually teaches away from the compositions of the claims, which are closed bottles, because Wolf teaches that a plastic container must comprise a means for equalizing pressure differentials between the inside and outside of the container when autoclaved. The bottles of the claims are closed; the claims do not allow for a pressure equalization means. Since the primary reference relied upon to reject

former claims 25 to 33 actually teaches away from the closed bottles of the present claims, it is respectfully submitted that no combination of references cited by the Examiner can properly be said to render the present claims obvious under 35 U.S.C. § 103(a). Accordingly, it is respectfully requested that present claims 34 to 42 be passed to issue.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'David E. Wildman', written over a horizontal line.

David E. Wildman
Attorney for Applicants
Reg. No. 40,226

Novartis
Corporate Intellectual Property
One Health Plaza, Building 430
East Hanover, NJ 07936-1080
(862) 778-7954

Date: 5/19/03